IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31426 of 2008
JAICHAND YADAV
Versus
STATE OF BIHAR

For the petitioner - Mr. Ramesh Kr. Singh, Adv.
Mr. Sanjay Kr. Singh, Adv.
For the State.- Mr. Abdus Salam, A.P.P.
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3. 12/8/2008 Heard learned counsel for the petitioner and learned counsel for the State.

The case has been registered for the offence under Sections 385, 387, 506 and 34 of the Indian Penal Code against eight named accused including the petitioner and 4-5 unknown persons wherein it is alleged that Criminals have demanded money by way of ransom/extortion.

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Submission on behalf of the learned counsel for the petitioner is that the petitioner was in judicial custody since 3.3.2006 in Sessions Trial No. 462 of 2006 and remanded in the present case on 8.6.2007 and since then he is in custody. In the aforesaid case the petitioner was convicted by the trial court on 12.7.2006 and he has preferred Cr. Appeal No. 754 of 2006 which is pending before this Court. Learned counsel for the petitioner submits that petitioner has been granted bail by a Bench of this Court on 17.4.2008 in Cr. Appeal (S.J.) No. 754 of 2006 vide Annexure-2, but due to remand of the petitioner in the present case on 8.6.2007, he has not been released. Learned counsel for the petitioner submits that as per paragraph-10 of the bail petition the petitioner has got no

criminal antecedent, except as per Annexure-2. It has further been submitted that the co-accused Chhotu Kumar @ Chhotu Yadav and Sunil Singh, who have been named in the First Information Report as well as Dani Yadav who was made accused subsequently, though, not named in the First Information Report, have been granted bail by different Bench of this Court by order dated 4.8.2007, 1.11.2007 and 11.4.2007 passed in Cr. Misc. Nos. 26360 of 2008, 40884 and 15838 of 2007 respectively.

Considering the facts and circumstances of the case, petitioner Jaichand Yadav is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri K. Prasad, Judicial Magistrate, 1st Class, Madhepura, in connection with Murliganj P.S. Case No. 160 of 2006.

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S.Ali **(Dr. Ravi Ranjan, J.)**